

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ALEXIS MONTERO, individually and on behalf  
of all others similarly situated,

Plaintiff,

v.

CITY OF MOUNT VERNON, NEW YORK; and  
DEBORAH REYNOLDS, in her official capacity  
as Comptroller for the City of Mount Vernon,  
New York,

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 4/14/2022

**STIPULATION AND  
TOLLING AGREEMENT**

No. 21-CV-1924-NSR

IT IS HEREBY STIPULATED AND AGREED, by and between counsel for Plaintiff Alexis Montero, individually and on behalf of all others similarly situated (collectively "Plaintiffs"), and counsel for Defendants City of Mount Vernon, New York, and Deborah Reynolds, in her official capacity as Comptroller for the City (collectively "Defendants"), that:

The statute of limitations for claims under the Fair Labor Standards Act for all hourly non-exempt employees of Defendant City who worked in excess of 40 hours per week during one or more workweeks but who did not receive the overtime compensation to which they were entitled on their regular pay day for the period in which the overtime hours were worked, or at all, is tolled from October 13, 2021, through June 13, 2022 ("Tolling Period"). During the Tolling Period, it is agreed that all discovery requests and the negotiation of a proposed

scheduling order will be stayed and the parties shall work in good faith toward a resolution of the action.

DATED: April 13, 2022



Brian J. LaClair, Esq.  
**Blitman & King LLP**  
*Attorneys for Plaintiff*  
Office and Post Office Address  
Franklin Center, Suite 300  
443 North Franklin Street  
Syracuse, NY 13204

/s/ William O. Wagstaff III

William O. Wagstaff III, Esq.  
**The Wagstaff Firm, P.C.**  
*Attorneys for Defendants*  
Office and Post Office Address  
75 S. Broadway Suite 400  
White Plains, NY 10601

SO ORDERED:



Hon. Nelson S. Román

Dated: April 14, 2022  
White Plains, NY